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Julie Ann Carter <juliecarter@utah.gov>

MAR 11 2014**Avintaquin Development comment letter****SECRETARY, BOARD OF
OIL, GAS & MINING****Alexandra Ziesler** <alibritt@yahoo.com>

Tue, Mar 11, 2014 at 8:53 PM

Reply-To: Alexandra Ziesler <alibritt@yahoo.com>

To: Julie Ann Carter <juliecarter@utah.gov>

Hello Ms. Carter,

I submitted this second letter of comment to the Bureau of Indian Affairs on February 28, 2014. It is in regard to Berry Petroleum's proposed exploration in the Avintaquin and Strawberry River Canyons. I'd appreciate it being on file at your offices as well.

Thank you,
Alexandra Ziesler

**Additional Concerns- Avintaquin.odt**

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February 28, 2014

To Bradford Wazaney, Environmental Protection Specialist, Bureau of Indian Affairs, Uintah and Ouray Agency, P.O. Box 130 (988 South 7500 East), Fort Duchesne, Utah 84026;
bradford.wazaney@bia.gov. Phone: (435) 722-4300; Telefax: (435) 722-2323.

RE: ADDITIONAL CONCERNS ON AVINTAQUIN OIL EXPLORATION AND DEVELOPMENT

Use Patterns

Physically, the canyons that are slated to be developed in this project are very different from Lake Canyon, but the same development agreement allows the Avintaquin Canyon Development to be under consideration. Not only are these canyons narrow and winding, but they are also well-utilized recreation areas. The Pinnacles Resort and Homeowners Development (a private, gated community) is heavily used in the spring, summer, and fall seasons. Even in winter, these canyons are used. The people who come here are outdoor enthusiasts and families from the Wasatch back and front. They bring children, grandchildren, aunts and uncles, to relax by the rivers and explore the outdoors. Popular activities include ATV'ing up the canyons, hiking in the canyons and walking the roads.

So, oil development, and the resulting truck traffic not only present a conflict, nuisance, and visual and audible pestilence, it presents a safety risk as well, even in the exploration phase when minimal or no road upgrades are required to be done. Young kids are riding, ATVs and hiking in those canyons with their fishing poles. And if someone were to come face-to-face with a construction or oil tanker on one of these narrow, winding roads, it could be fatal. There is no room on most of these roads for either party to pull to the side or turn around. The roads, cliffs, and sheer ledges are narrow. I'm sure no oil company, no matter how much they want oil, wants to have innocent fatalities on their records.

Lake Canyon was not largely utilized until mining development went in. Talking to people who've traveled there, they say that in some areas of that canyon, pine trees five inches in diameter were growing in the middle of the road. That is not the case in Avintaquin, Timber Creek, and Strawberry River Canyons. People are using them – a lot! The Pinnacles HOA members have properties here that have been passed down through generations. These are not just trailer homes of poor people, these are second and third properties for people, and most have paid quite a bit for the properties. This is a place where people build memories, and children are allowed more leeway to explore. That needs to be taken into account in the evaluation of this area.

Socioeconomic Justice

Home values are placed due to pristine nature environment, river frontage, quiet, dark, accessibility to remote lands. All these would disappear making properties worthless. How will that be justified?

Topography

Additionally, the roads themselves cannot take the loads that oil development would require. The roads last summer were flooded in several areas with water streaming down the cliff-sides constantly making mini rivers in the roads. The cliffs are so narrow that the road is the drainage in many areas. Widening these roads would still leave truck travel and mining very close to river and water sources, an obvious problem if there is a leak, spill, or truck crash.

One way to minimize these risks is to limit development exclusively to the upper portions of Avintaquin Canyon. While I don't support oil development in any of these canyons, there is easier access to the upper Avintaquin Canyon via the ridge that connects it with Lake Canyon. There are also

more gently sloping mountains up there that may be able to accommodate the well pads, processing plants, liquid byproduct transfer, etc. To do this, remove T4SR8W, T5SR8W 1-16,

Water

Source: <http://www.scientificamerican.com/article/is-fracking-behind-contamination-in-wyoming-groundwater/>
Pinnacles Homeowners and Resort guests would be directly affected by any groundwater contamination issues. Again, direct liability here for the mining companies since there is measured water quality now, it would be easy to point to exactly what caused any degradation.

River flow of the Strawberry River, a popular fishing river would be affected due to draw for mining activity. Affects fish, plant life, home property values.

Vegetation

<http://www.deseretnews.com/article/635158166/Uintas-rugged-beautiful-and-remote.html?pg=all>

The largest pine forest in the world is located in the area that they are considering mining. This will ruin this unique environment.

Fish and Wildlife

Source: http://www.uen.org/utah_history_encyclopedia/w/WILDLIFE_MANAGEMENT.html

Several of the following endangered and threatened species are classified under the US Fish and Wildlife Service. They are not listed on the draft Special Status checklist. I've put the ones that appear to be missing in **bold**.

Species which are listed by the federal government as *endangered* include one mammal, the black footed ferret; three birds, including the **peregrine falcon, bald eagle, and whooping crane**; six fishes, including the bonytail chub, **Colorado squawfish**, humpback chub, **June sucker, Virgin River chub, and woundfin minnow**; and one reptile, the **desert tortoise**. In addition, the **Utah prairie dog and the Lahonton cutthroat trout** are listed as *threatened*. These species, which fall under the jurisdiction of the U.S. Fish and Wildlife Service, are classified endangered or threatened due to significantly decreased population levels caused by alteration of habitat, a diminished food supply, and/or a narrow range of distribution.

Some species noted by early trappers and explorers are presently absent from the state. These include the grizzly bear, wolf, wolverine, and white-tailed deer (originally limited in distribution). Many other species have undergone drastic population fluctuations, most notably the buffalo, **rocky mountain bighorn sheep (these were recently reintroduced to the area and have been spotted in recent months)**, river otter, and peregrine falcon. The buffalo, has since been reestablished through transplant programs and work is currently ongoing to reestablish the others. Although there is some disagreement as to the historic presence of the mountain goat in Utah, the species has been reestablished in the Wasatch, Uinta, and Tushar Mountains. As mentioned previously, pronghorn and elk were nearly extirpated but were protected and subsequently reintroduced and reestablished throughout much of their former habitat.

There are innumerable problems associated with oil drilling in these canyons. I hope that serious consideration is given to the risks and that a fair permitting process is allowed so that people can make an honest assessment on whether this is really the best use of these canyons.

Alexandra Ziesler